

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

<b>TINA L. MCQUEEN, Administrator of the Estate of Robert W. McQueen, Jr.</b>	:	<b>CIVIL ACTION NO. 0-1-02-155</b>
	:	
	:	<b>Judge Weber</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>vs.</b>	:	
	:	
<b>BARGE VESSEL OR 4797, et al.</b>	:	
	:	
<b>Defendants.</b>	:	
	:	

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**IN RE MIDLAND ENTERPRISES, INC.    CIVIL ACTION NO. 01-02-639**

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**AGREED SCHEDULING ORDER**

Pursuant to this Court's Order entered on November 12, 2003, the following schedule shall control the disposition of the above-styled case:

1. Cut-off for joining other parties and further amendment of the pleadings shall be December 30, 2003;
2. The discovery cut-off date is May 28, 2004;
3. The Joint Status Report shall be filed by March 26, 2004;
4. All disclosures of the Pretrial Motion shall be filed by May 28, 2004;
5. All dispositive pretrial motions shall be filed by May 28, 2004. Upon filing of a dispositive motion, the movant shall file with the Court and serve upon opposing counsel Proposed Findings of Fact and Conclusions of Law supporting movant's request for relief. Twenty days thereafter, opposing counsel shall file with the Court and serve with its Response to the dispositive motion, a copy of movant's Proposed Findings of Facts and Conclusions of Law highlighted/underlined in the following manner:

- a) Highlight/underline in **BLUE** those Findings of Fact which are true;
- b) Highlight/underline in **YELLOW** those findings of Fact which are true but irrelevant or unimportant;
- c) Highlight/underline in **RED** any misstatement of law contained in the Conclusions of Law.

Within ten days thereafter the movant shall file the Reply. If a Counter Statement of Findings of Fact and Conclusions of Law has been filed, the movant shall serve upon opposing counsel and attach to its Reply a copy of the Counter Statement of Findings of Fact and Conclusions of Law highlighted/underlined in the manner described above.

- 5. Counsel shall file their Proposed Joint Final Pretrial Order by August 5, 2004 and this case shall proceed to trial in the September, 2004 trial term.

**IT IS SO ORDERED.**

S/Herman J. Weber  
**HERMAN J. WEBER**, SENIOR JUDGE  
UNITED STATES DISTRICT COURT